

Videotaped Interview of: KATHRYN SPENCER

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In Re:

the Videotaped Interview of

KATHRYN SPENCER

December 11, 1984

EXHIBIT J

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Videotaped Interview of: KATHRYN SPENCER

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11:49 1 DeANNE SPENCER: Okay. I'll sit with you.

11:49 2 Do you want to sit on my lap?

11:49 3 KATHRYN SPENCER: (Nodding up and down).

11:49 4 DeANNE SPENCER: Okay.

11:51 5 SHARON: Here we are. How many adults do we
11:51 6 have? Just two or three? Hmmm?

11:51 7 KATHRYN SPENCER: (Demonstrating with two
11:51 8 fingers).

11:51 9 SHARON: Two.

11:51 10 Do you want to pick them out so I don't pick
11:51 11 the wrong dolls?

11:51 12 KATHRYN SPENCER: (Nodding side to side.)

11:51 13 SHARON: Which one do I need first? You tell
11:51 14 me and see if I guess it right.

11:51 15 KATHRYN SPENCER: (Nodding side to side).

11:51 16 SHARON: Do you need the boy doll? Hmmm?

11:51 17 Are you going to need the boy doll or do you
11:51 18 need two girl dolls? That's the big girl; that's the
11:51 19 little girl; and this is the boy (indicating)? Okay.

11:52 20 Is that your favorite pop?

11:52 21 KATHRYN SPENCER: (Nodding up and down).

11:52 22 SHARON: Is it strawberry? Oh, I remember
11:52 23 when she was always wanting to eat strawberries in
11:52 24 California. Hmmm?

Videotaped Interview of: KATHRYN SPENCER

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11:52 1 DeANNE SPENCER: Let me take a drink.

11:52 2 KATHRYN SPENCER: Mom, you already had one.

11:52 3 SHARON: Move that desk. The other way.

11:52 4 KATHRYN SPENCER: Mom, what are you doing?

11:52 5 JAMES PETERS: Wiggling around.

11:52 6 So what did you do last night after you left

11:52 7 here? Did you go back to the hotel?

11:52 8 KATHRYN SPENCER: Yes.

11:52 9 JAMES PETERS: What else did you do?

11:52 10 KATHRYN SPENCER: Nothing.

11:52 11 JAMES PETERS: Did you watch T.V.?

11:52 12 KATHRYN SPENCER: Yes.

11:52 13 JAMES PETERS: What did you watch?

11:52 14 KATHRYN SPENCER: (Shrugging shoulders).

11:52 15 JAMES PETERS: Can't remember?

11:52 16 KATHRYN SPENCER: (Nodding side to side.)

11:52 17 DeANNE SPENCER: Do you remember?

11:53 18 SHARON: Tell Jim what they're doing down

11:53 19 there. It's so noisy.

11:53 20 KATHRYN SPENCER: Banging the walls.

11:53 21 JAMES PETERS: What are they doing with the

11:53 22 walls?

11:53 23 KATHRYN SPENCER: They're banging the walls,

11:53 24 the walls.

Videotaped Interview of: KATHRYN SPENCER

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11:53 1 JAMES PETERS: They're banging the walls?

11:53 2 Who's banging the walls?

11:53 3 KATHRYN SPENCER: I don't know their names.

11:53 4 SHARON: They're remodeling, aren't they,
11:53 5 because the (inaudible) --

11:53 6 DeANNE SPENCER: (Inaudible).

11:53 7 KATHRYN SPENCER: Mom.

11:53 8 SHARON: Kind of noisy.

11:53 9 JAMES PETERS: Kind of noisy, yeah.

11:53 10 Well, you know what I heard last night? I
11:53 11 heard you were going to come and talk to me today and
11:53 12 tell me the stuff that you came up here to tell me
11:53 13 yesterday; is that right?

11:53 14 SHARON: Would you rather I left and you and
11:53 15 Jim and your mom talk? Would it be easier if I left?

11:54 16 KATHRYN SPENCER: (Nodding up and down).

11:54 17 SHARON: Okay, I can go. Do you need these?

11:54 18 JAMES PETERS: No, I don't need those.

11:54 19 SHARON: Okay.

11:54 20 JAMES PETERS: I wonder if we should have a
11:54 21 cup so it isn't so noisy.

11:54 22 SHARON: So it isn't so noisy.

11:54 23 Would you like a cup or do you want to drink
11:54 24 it out of the can?

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11:54 1 KATHRYN SPENCER: (Tapping can).

11:54 2 SHARON: Okay. Can you be real quiet so it
11:54 3 doesn't make noise. You know how to do that, right,
11:54 4 because the noise makes it so Jim can't hear.

11:54 5 And I'll go outside in the other room, okay.
11:54 6 If you guys need me, you know where I'm at, okay?

11:54 7 I'll leave that in case you need it, the
11:54 8 case.

11:54 9 JAMES PETERS: Okay.

11:54 10 SHARON: I'll be at my desk, Kati, if you
11:54 11 guys need me. Okay?

11:54 12 (Sharon exits the
11:54 13 room.)

11:54 14 JAMES PETERS: So Kati, you're -- are you
11:55 15 still five years old?

11:55 16 KATHRYN SPENCER: (Nodding up and down).

11:55 17 JAMES PETERS: Do you remember when your
11:55 18 birthday is?

11:55 19 KATHRYN SPENCER: After Christmas.

11:55 20 JAMES PETERS: That's coming up pretty soon,
11:55 21 isn't it?

11:55 22 KATHRYN SPENCER: (Nodding up and down).

11:55 23 JAMES PETERS: Well, let me ask you a couple
11:55 24 of questions about -- about me today, okay? This is a

Videotaped Interview of: KATHRYN SPENCER

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11:55 1 game about truth and lies. Have you ever played that
11:55 2 game before?

11:55 3 KATHRYN SPENCER: (Nodding side to side).

11:55 4 JAMES PETERS: Do you know what the
11:55 5 difference is between truth and lies?

11:55 6 KATHRYN SPENCER: (Nodding side to side).

11:55 7 JAMES PETERS: What if I said it was snowing
11:55 8 in here right now, would that be the truth or a lie?

11:55 9 KATHRYN SPENCER: A lie.

11:55 10 JAMES PETERS: That's right.

11:55 11 What if I said today I had on a green tie,
11:55 12 would that be truth or a lie?

11:55 13 KATHRYN SPENCER: A lie.

11:55 14 JAMES PETERS: Yes, that's right. You know
11:55 15 the difference, don't you?

11:55 16 What if I said that you had on shoes that had
11:55 17 purple on it, would that be truth or a lie?

11:56 18 KATHRYN SPENCER: Truth.

11:56 19 JAMES PETERS: That's right.

11:56 20 Purple is your favorite color, isn't it?

11:56 21 KATHRYN SPENCER: Uh-huh.

11:56 22 JAMES PETERS: What's your other favorite
11:56 23 color?

11:56 24 KATHRYN SPENCER: White.

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11:56 1 JAMES PETERS: Oh, yeah? Do you like pink
11:56 2 too?

11:56 3 KATHRYN SPENCER: (Nodding side to side).

11:56 4 JAMES PETERS: Yesterday you had on pink
11:56 5 stuff.

11:56 6 What if I said today you had on a red coat,
11:56 7 would that be truth or a lie?

11:56 8 KATHRYN SPENCER: Truth.

11:56 9 JAMES PETERS: That's right.

11:56 10 And you know it's very important that you
11:56 11 tell me the truth, do you know that, about the stuff
11:56 12 that we're going to talk about today, right?

11:56 13 Last summer did you come up here to visit
11:56 14 somebody, come up to Portland or to Vancouver?

11:56 15 KATHRYN SPENCER: (Looks up at DeAnne
11:56 16 Spencer).

11:56 17 JAMES PETERS: How did you get up here?

11:56 18 KATHRYN SPENCER: An airplane.

11:56 19 JAMES PETERS: Who did you come --

11:56 20 DeANNE SPENCER: No. Last summer.

11:56 21 KATHRYN SPENCER: Huh?

11:56 22 DeANNE SPENCER: Last summer, did you come up
11:56 23 in the airplane?

11:56 24 KATHRYN SPENCER: In a car.

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11:57 1 JAMES PETERS: Oh, whose car did you come up
11:57 2 in last summer?

11:57 3 KATHRYN SPENCER: (Pointing to DeAnne
11:57 4 Spencer).

11:57 5 JAMES PETERS: You're pointing to somebody.
11:57 6 That's --

11:57 7 KATHRYN SPENCER: My mom.

11:57 8 JAMES PETERS: Okay. And who did you stay
11:57 9 with?

11:57 10 KATHRYN SPENCER: My dad.

11:57 11 JAMES PETERS: Yeah? What's your dad's name?

11:57 12 KATHRYN SPENCER: (Looks up at DeAnne
11:57 13 Spencer).

11:57 14 You know his name.

11:57 15 JAMES PETERS: Is his name George?

11:57 16 KATHRYN SPENCER: No.

11:57 17 JAMES PETERS: Is his name Herman?

11:57 18 KATHRYN SPENCER: Nope.

11:57 19 JAMES PETERS: Is his name Sharon?

11:57 20 KATHRYN SPENCER: No.

11:57 21 JAMES PETERS: What's his name?

11:57 22 KATHRYN SPENCER: I won't tell you.

11:57 23 JAMES PETERS: Is it Ray?

11:57 24 KATHRYN SPENCER: Yes.

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11:57 1 JAMES PETERS: Oh. And did you stay at Ray's
11:57 2 house?

11:57 3 KATHRYN SPENCER: Yes.

11:57 4 JAMES PETERS: Where's his house? I've never
11:57 5 been to his new house.

11:57 6 KATHRYN SPENCER: It's our new house.

11:57 7 JAMES PETERS: Oh. Where is it?

11:57 8 KATHRYN SPENCER: It's not his very own.

11:57 9 JAMES PETERS: Hmmm.

11:57 10 Where is your house, the one that Ray lives
11:58 11 at?

11:58 12 KATHRYN SPENCER: The house by the river.

11:58 13 JAMES PETERS: Oh.

11:58 14 Well, do you remember, when you were staying
11:58 15 at the house by the river, some things happening that
11:58 16 made you feel bad? Hmmm?

11:58 17 Do you got some left in there? Let me feel.
11:58 18 Oh, yeah.

11:58 19 Do you remember talking to Sharon about that?

11:58 20 KATHRYN SPENCER: (Nodding up and down).

11:58 21 JAMES PETERS: You rolled your eyes up. Do
11:58 22 you do that a lot?

11:58 23 Does she do that a lot?

11:58 24 DeANNE SPENCER: Only when she is talking

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11:58 1 about stuff she doesn't want to talk about.

11:58 2 JAMES PETERS: Yeah. This is hard to talk
11:58 3 about, isn't it?

11:58 4 KATHRYN SPENCER: (Nodding up and down).

11:58 5 JAMES PETERS: Do you know why we have to
11:58 6 talk about it?

11:58 7 KATHRYN SPENCER: (Nodding side to side).

11:59 8 JAMES PETERS: Well, sometimes when big
11:59 9 people touch little people in their private places,
11:59 10 it's hard to talk about, right?

11:59 11 KATHRYN SPENCER: (Nodding up and down).

11:59 12 JAMES PETERS: You've already talked to some
11:59 13 people about this, haven't you?

11:59 14 KATHRYN SPENCER: (Nodding up and down).

11:59 15 JAMES PETERS: Who have you talked to? Your
11:59 16 mom, right?

11:59 17 KATHRYN SPENCER: (Nodding side to side).

12:42 18 JAMES PETERS: No? Somebody named Shirley?

12:42 19 KATHRYN SPENCER: (Nodding up and down).

12:42 20 JAMES PETERS: Yes? Good. And who else?
12:42 21 Who else have you talked to about it? Sharon?

12:42 22 KATHRYN SPENCER: (Nodding up and down).

12:42 23 JAMES PETERS: Okay. Can you say yes or no
12:42 24 instead of nodding your head?

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12:42 1 KATHRYN SPENCER: (Nodding side to side).

12:42 2 JAMES PETERS: No, you can't?

12:42 3 KATHRYN SPENCER: (Nodding side to side).

12:42 4 DEANNE SPENCER: There was one other person;
12:42 5 remember?

12:42 6 JAMES PETERS: Was there a lady in
12:42 7 Sacramento?

12:42 8 KATHRYN SPENCER: (Nodding up and down).

12:42 9 JAMES PETERS: What's her name? You told me
12:42 10 yesterday, but I forgot.

12:42 11 KATHRYN SPENCER: Ann.

12:43 12 JAMES PETERS: Ann, that's right. She is the
12:43 13 lady that you go to her office once a week?

12:43 14 KATHRYN SPENCER: (Nodding up and down).

12:43 15 JAMES PETERS: You told me yesterday what you
12:43 16 do at her office. Tell me again; I forgot.

12:43 17 KATHRYN SPENCER: Just play in her office.

12:43 18 JAMES PETERS: Play in her office, okay.
12:43 19 So you've talked to her about this stuff,
12:43 20 huh?

12:43 21 KATHRYN SPENCER: (Nodding up and down).

12:43 22 JAMES PETERS: Okay. Well, I heard last
12:43 23 night -- I got a call at home from Sharon that you
12:43 24 said you were going to talk to me about it too; is

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12:43 1 that right?

12:43 2 KATHRYN SPENCER: (Nodding up and down).

12:43 3 JAMES PETERS: Good. That's good.

12:43 4 Well, Sharon told me that, when you talked to
12:43 5 her, that it was easy for you to talk when you use
12:43 6 some dolls; is that right?

12:43 7 Which one of the dolls do you want to use?
12:43 8 Do you want to use this one (indicating)? Hmmm?

12:43 9 DeANNE SPENCER: Is this the one that you
12:43 10 want?

12:43 11 JAMES PETERS: Is this a girl or a boy? It's
12:44 12 a girl, right?

12:44 13 KATHRYN SPENCER: (Nodding up and down).

12:44 14 JAMES PETERS: Okay. Is it a big girl or a
12:44 15 little girl? Hmmm? Is it hard to say "big" or
12:44 16 "little"?

12:45 17 Okay. It's a little girl, right?

12:45 18 And is this a big girl or a little girl? Or
12:45 19 is this a boy?

12:45 20 KATHRYN SPENCER: (Laughing).

12:45 21 JAMES PETERS: Hmmm?

12:45 22 DeANNE SPENCER: It's okay. Take a drink.
12:45 23 Squeeze my hand.

12:45 24 KATHRYN SPENCER: Mom, be quiet.

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12:46 1 DeANNE SPENCER: Okay, I will.

12:46 2 JAMES PETERS: All right. Is this the girl

12:46 3 or a boy?

12:46 4 KATHRYN SPENCER: It's a girl.

12:46 5 JAMES PETERS: Do we need to use this

12:46 6 one today (indicating)?

12:46 7 KATHRYN SPENCER: No.

12:46 8 JAMES PETERS: Okay. Put this one down.

12:46 9 And this is a boy or a girl?

12:46 10 KATHRYN SPENCER: Boy.

12:46 11 JAMES PETERS: Right. Is it a big boy or a

12:46 12 little boy? Is it a man or a boy now? Hmmm?

12:46 13 KATHRYN SPENCER: It's a man.

12:46 14 JAMES PETERS: Right. Okay. So do we need

12:46 15 any other dolls besides these two for you to tell me?

12:46 16 KATHRYN SPENCER: (Nodding side to side).

12:46 17 JAMES PETERS: Okay. What's the name of this

12:46 18 doll? Is it going to be George?

12:46 19 KATHRYN SPENCER: (Nodding side to side).

12:46 20 JAMES PETERS: Is it going to be Sharon?

12:46 21 KATHRYN SPENCER: (Nodding side to side).

12:46 22 JAMES PETERS: Is it going to be Denise?

12:46 23 KATHRYN SPENCER: (Nodding side to side).

12:46 24 JAMES PETERS: Is it going to be Karen?

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12:46 1 KATHRYN SPENCER: (Nodding side to side).
12:47 2 JAMES PETERS: Is it going to be Ray, this
12:47 3 one?
12:47 4 KATHRYN SPENCER: (Nodding side to side).
12:47 5 JAMES PETERS: Is it going to be Kati?
12:47 6 KATHRYN SPENCER: (Nodding up and down).
12:47 7 JAMES PETERS: Yeah? Okay.
12:47 8 Is this Kati you or is it somebody else Kati?
12:47 9 Hmmm?
12:47 10 KATHRYN SPENCER: (Laughing).
12:47 11 JAMES PETERS: What do you think?
12:47 12 KATHRYN SPENCER: (Pointing to herself).
12:47 13 JAMES PETERS: Oh, it's you? You pointed to
12:47 14 you. Is that what that meant?
12:47 15 KATHRYN SPENCER: (Nodding up and down).
12:47 16 JAMES PETERS: Did you just point to
12:47 17 yourself? Is that what that means?
12:47 18 KATHRYN SPENCER: (Nodding up and down).
12:47 19 JAMES PETERS: I thought so. Okay.
12:47 20 Now, this one, who is this one going to be?
12:48 21 Hmmm? Is this me?
12:48 22 KATHRYN SPENCER: (Nodding side to side).
12:48 23 JAMES PETERS: No.
12:48 24 Who is it then? Is this your mommy?

Videotaped Interview of: KATHRYN SPENCER

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12:48 1 KATHRYN SPENCER: (Nodding side to side).
12:48 2 JAMES PETERS: No.
12:48 3 Is it somebody who lives in Sacramento?
12:48 4 KATHRYN SPENCER: (Nodding side to side).
12:48 5 JAMES PETERS: No? Is it somebody who lives
12:48 6 in Vancouver?
12:48 7 KATHRYN SPENCER: (Nodding up and down).
12:48 8 JAMES PETERS: Oh. What's the person's name?
12:48 9 KATHRYN SPENCER: You know.
12:48 10 JAMES PETERS: I know I know, but I want you
12:48 11 to tell me.
12:49 12 Is it the same person that you told Sharon --
12:49 13 that you told Sharon about?
12:49 14 KATHRYN SPENCER: (Nodding up and down).
12:49 15 JAMES PETERS: Oh, okay. Who is that? Is it
12:49 16 Matt?
12:49 17 KATHRYN SPENCER: (Nodding side to side).
12:49 18 JAMES PETERS: Matt's your brother, right?
12:49 19 KATHRYN SPENCER: (Nodding up and down).
12:49 20 JAMES PETERS: It's not Matt?
12:49 21 KATHRYN SPENCER: (Nodding side to side).
12:49 22 JAMES PETERS: Okay. Is it somebody else who
12:49 23 lives in Vancouver?
12:49 24 KATHRYN SPENCER: (Nodding up and down).

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12:49 1 JAMES PETERS: Okay. What kind of job does
12:49 2 the policeman -- does the person do?

12:49 3 KATHRYN SPENCER: He's a policeman.

12:49 4 JAMES PETERS: Oh. Do you remember his first
12:49 5 name?

12:49 6 KATHRYN SPENCER: (Nodding side to side).

12:49 7 JAMES PETERS: You don't remember or you
12:49 8 don't want to say?

12:49 9 KATHRYN SPENCER: (Nodding side to side).

12:49 10 JAMES PETERS: Okay.

12:49 11 DeANNE SPENCER: What do you call that
12:49 12 person?

12:49 13 KATHRYN SPENCER: Mom.

12:49 14 DeANNE SPENCER: Do you want me to go in the
12:49 15 other room?

12:49 16 KATHRYN SPENCER: No.

12:50 17 DeANNE SPENCER: Okay.

12:50 18 JAMES PETERS: Do you call the person "mom"?

12:50 19 KATHRYN SPENCER: No.

12:50 20 JAMES PETERS: I didn't think so. What do
12:50 21 you call him?

12:50 22 KATHRYN SPENCER: Daddy.

12:50 23 JAMES PETERS: Oh, good. That's good.

12:50 24 KATHRYN SPENCER: What do you think I call

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12:50 1 him?

12:50 2 JAMES PETERS: I don't know.

12:50 3 KATHRYN SPENCER: Yes, you do.

12:50 4 JAMES PETERS: Well, can you show me what
12:50 5 Daddy did.

12:50 6 Here, let me take your pop for a minute.
12:50 7 I'll give it back to you in just a minute.

12:50 8 KATHRYN SPENCER: No.

12:50 9 JAMES PETERS: There's not going to be room
12:50 10 for both the pop and --

12:50 11 DeANNE SPENCER: How about if -- I will get
12:50 12 it.

12:50 13 JAMES PETERS: Let's move it over here then.

12:50 14 DeANNE SPENCER: I will hold it right here
12:50 15 out of the way because we need your help for a minute,
12:50 16 okay. Take a drink. Okay. How about putting it down
12:50 17 here?

12:50 18 KATHRYN SPENCER: No.

12:50 19 JAMES PETERS: You talked to Sharon about how
12:50 20 important it is for you to tell what happened,
12:50 21 remember, how we've got to get Daddy some help so he
12:50 22 won't do this again to you or to anybody else, and
12:50 23 right now Daddy is afraid to tell. And so maybe we
12:50 24 can show him this picture that we're taking so he

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12:51 1 won't be so afraid to tell and he can get some help.

12:51 2 Let's see. Did Daddy touch you someplace?

12:51 3 Was that a yes or a no?

12:51 4 KATHRYN SPENCER: (Nodding up and down).

12:51 5 JAMES PETERS: You are nodding your head up
12:51 6 and down. Is that what you're doing? You are doing
12:51 7 it so little, I can hardly tell. Okay.

12:51 8 Did he touch you on the nose?

12:51 9 KATHRYN SPENCER: (Nodding side to side).

12:51 10 JAMES PETERS: Did he touch you on the hair?

12:51 11 KATHRYN SPENCER: (Nodding side to side).

12:51 12 JAMES PETERS: How about on the ears?

12:51 13 KATHRYN SPENCER: (Nodding side to side).

12:51 14 JAMES PETERS: Let's see. What's this part
12:51 15 right here called (indicating)?

12:51 16 KATHRYN SPENCER: Hand.

12:51 17 JAMES PETERS: Did he touch you on the hand?

12:51 18 KATHRYN SPENCER: (Nodding side to side).

12:51 19 JAMES PETERS: Let's see. Right here on the
12:51 20 chest, what's this part called; do you know?

12:52 21 KATHRYN SPENCER: (Nodding up and down).

12:52 22 JAMES PETERS: Uh-huh. What's it called? Is
12:52 23 it called the nose?

12:52 24 KATHRYN SPENCER: (Nodding side to side).

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12:52 1 JAMES PETERS: No. It's important for you to
12:52 2 tell me because I don't know what your words are for
12:52 3 that.

12:52 4 KATHRYN SPENCER: (Nodding up and down).

12:52 5 JAMES PETERS: No, I don't.

12:52 6 KATHRYN SPENCER: (Nodding up and down).

12:52 7 JAMES PETERS: Did you tell Sharon before?

12:52 8 KATHRYN SPENCER: (Nodding up and down).

12:52 9 JAMES PETERS: How about if we got her
12:52 10 cartoon and see what you told her before? Did she
12:52 11 write it down on the cartoon?

12:52 12 KATHRYN SPENCER: (Nodding up and down).

12:52 13 JAMES PETERS: Do you remember?

12:52 14 Is this the cartoon that she used when she
12:52 15 talked to you before? Let's see. She wrote down that
12:52 16 you called this place on the chest boobies; is that
12:52 17 right?

12:52 18 Can you say yes or no? Boobies (laughing)?
12:53 19 Is that what you call it, that place right on the
12:53 20 chest, boobies?

12:53 21 Okay. How about this place right here, right
12:53 22 in the middle of your tummy, what do you call that?
12:53 23 Is it a toe?

12:53 24 KATHRYN SPENCER: (Nodding side to side).

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12:53 1 JAMES PETERS: Is it a nose?

12:53 2 KATHRYN SPENCER: (Nodding side to side).

12:53 3 JAMES PETERS: Is it an eyebrow?

12:53 4 KATHRYN SPENCER: (Nodding side to side).

12:53 5 JAMES PETERS: Is it a fingernail?

12:53 6 KATHRYN SPENCER: (Nodding side to side).

12:53 7 JAMES PETERS: What is it?

12:53 8 KATHRYN SPENCER: You know.

12:53 9 JAMES PETERS: It says right here that you

12:53 10 told Sharon when she talked to you in Sacramento that

12:53 11 that's a belly button. Is that what you call that

12:53 12 part?

12:53 13 KATHRYN SPENCER: (Nodding up and down).

12:53 14 JAMES PETERS: How about this part right here

12:53 15 on the girl, the front part where she goes pee from,

12:53 16 what do you call that? Hmmm?

12:54 17 DeANNE SPENCER: Do you remember what you

12:54 18 told me last night?

12:54 19 KATHRYN SPENCER: No.

12:54 20 JAMES PETERS: Sharon says you told her that

12:54 21 was a pee-pee; is that right?

12:54 22 KATHRYN SPENCER: (Nodding up and down).

12:54 23 JAMES PETERS: Are you saying yes? I see you

12:54 24 nodding your head up and down, but it's hard for me to

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12:54 1 know.

12:54 2 DeANNE SPENCER: You got to say it.

12:54 3 KATHRYN SPENCER: (Nodding up and down).

12:54 4 JAMES PETERS: Yeah, okay.

12:54 5 Now, this part back here, the part where the
12:54 6 spankings come, right, what do you call that?

12:54 7 It's okay to say these words. It's not bad.
12:54 8 Are you worried about saying the words?

12:54 9 KATHRYN SPENCER: (Nodding side to side).

12:55 10 JAMES PETERS: Sharon said that you call that
12:55 11 a butt. Is that what you call it?

12:55 12 KATHRYN SPENCER: (Nodding up and down).

12:55 13 JAMES PETERS: Okay. That's fine.

12:55 14 On the man -- the man's a little bit
12:55 15 different than the girl on the front, isn't he?

12:55 16 KATHRYN SPENCER: (Nodding up and down).

12:55 17 JAMES PETERS: Okay. The part that's
12:55 18 different is right here, right (indicating)? What do
12:55 19 you call that on a man? Can you tell me.

12:55 20 KATHRYN SPENCER: (Nodding side to side).

12:55 21 DeANNE SPENCER: How's it start? Do you
12:55 22 remember how you helped me last night? You said you
12:55 23 would help today.

12:55 24 KATHRYN SPENCER: Mom.

Videotaped Interview of: *KATHRYN SPENCER*

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12:55 1 DeANNE SPENCER: Try that if you can't say
12:55 2 the word; just try, please.

12:55 3 KATHRYN SPENCER: (Nodding side to side).

12:55 4 JAMES PETERS: What did you tell Sharon? You
12:56 5 almost said it. I saw you make it with your mouth.
12:56 6 What's the first letter?

12:56 7 Do you know all of your ABCs?

12:56 8 KATHRYN SPENCER: (Nodding up and down).

12:56 9 JAMES PETERS: Do you? Which letter is the
12:56 10 one -- the first letter of the word of the thing that
12:56 11 hangs down on the boy?

12:56 12 Well, Sharon says that you told her that's a
12:56 13 wiener; is that right?

12:56 14 KATHRYN SPENCER: (Nodding up and down).

12:56 15 JAMES PETERS: Okay. Well, can you show me
12:56 16 how your daddy touched you. Please take the dolls and
12:56 17 show me.

12:57 18 DeANNE SPENCER: Do you want me to close my
12:57 19 eyes?

12:57 20 KATHRYN SPENCER: (Nodding side to side).

12:57 21 DeANNE SPENCER: Go ahead. Come on.

12:57 22 JAMES PETERS: It's so good of you to come up
12:57 23 here. I know it was real disruptive. That's a big
12:57 24 word, but you probably were supposed to be in school

Videotaped Interview of: KATHRYN SPENCER

23

12:57 1 today, right?

12:57 2 KATHRYN SPENCER: (Nodding side to side).

12:57 3 JAMES PETERS: Instead of coming out here.

12:57 4 KATHRYN SPENCER: My teacher knows I'm not
12:57 5 gonna be there.

12:57 6 JAMES PETERS: Are you gonna be there
12:57 7 tomorrow?

12:57 8 KATHRYN SPENCER: (Nodding up and down).

12:57 9 JAMES PETERS: Okay.

12:57 10 KATHRYN SPENCER: Probably won't get to
12:57 11 because I'll be too late.

12:57 12 JAMES PETERS: Oh, maybe not.

12:57 13 KATHRYN SPENCER: My reading group, my class
12:57 14 will be already over.

12:57 15 JAMES PETERS: Do you have a reading group in
12:57 16 your class?

12:57 17 KATHRYN SPENCER: (Nodding up and down).

12:57 18 JAMES PETERS: You mean in kindergarten
12:57 19 they're teaching people how to read these days?

12:57 20 KATHRYN SPENCER: (Nodding up and down).

12:57 21 JAMES PETERS: You know, when I was in
12:57 22 kindergarten, all we did was mess around and play with
12:57 23 blocks and fingerpaint and stuff.

12:58 24 DeANNE SPENCER: Take naps.

Videotaped Interview of: KATHRYN SPENCER

24

12:58 1 JAMES PETERS: Take naps, yeah.

12:58 2 KATHRYN SPENCER: I didn't -- I don't take
12:58 3 any naps and neither does my friends.

12:58 4 JAMES PETERS: I think kids are smarter these
12:58 5 days than they were when I was a little guy. What do
12:58 6 you think?

12:58 7 Well, let's see. Is it true or a lie: Did
12:58 8 your daddy touch you last summer when you were up
12:58 9 there?

12:58 10 KATHRYN SPENCER: (Nodding side to side).

12:58 11 JAMES PETERS: Is it true or a lie?

12:59 12 DeANNE SPENCER: Remember what I told you?

12:59 13 KATHRYN SPENCER: Mom.

12:59 14 JAMES PETERS: What did your mom tell you?

12:59 15 KATHRYN SPENCER: Tell the truth.

12:59 16 DeANNE SPENCER: It's always simple to tell
12:59 17 the truth.

12:59 18 JAMES PETERS: To tell the truth.

12:59 19 KATHRYN SPENCER: I heard you. I knew that.
12:59 20 I knew that so that's why I (inaudible), and I know
12:59 21 it's dumb.

12:59 22 DeANNE SPENCER: So you know it's important
12:59 23 to always tell the truth.

12:59 24 KATHRYN SPENCER: Please stop saying that. I

Videotaped Interview of: KATHRYN SPENCER

25

12:59 1 hate that word.

12:59 2 DeANNE SPENCER: I know.

12:59 3 KATHRYN SPENCER: It's dumb.

12:59 4 JAMES PETERS: You hate the word "truth"?

12:59 5 KATHRYN SPENCER: (Nodding up and down).

12:59 6 JAMES PETERS: Well, let's see. This is your
12:59 7 daddy and this is Kati. Show me what happened last
12:59 8 summer, okay? Then we can stop all this.

12:59 9 KATHRYN SPENCER: Nothing happened last
12:59 10 summer.

12:59 11 JAMES PETERS: Nothing happened?

12:59 12 KATHRYN SPENCER: (Nodding side to side).

12:59 13 DeANNE SPENCER: Okay. Deep breath.

12:59 14 KATHRYN SPENCER: Mom, nothing happened last
12:59 15 summer.

12:59 16 DeANNE SPENCER: Kati, remember we talked
13:00 17 last night and we already know it's gonna be --

13:00 18 KATHRYN SPENCER: Mother.

13:00 19 DeANNE SPENCER: It's gonna be hard. Do you
13:00 20 want me to go in the other room? Would that be
13:00 21 easier?

13:00 22 KATHRYN SPENCER: No.

13:00 23 DeANNE SPENCER: Okay. You're going to help
13:00 24 (inaudible) --

Videotaped Interview of: KATHRYN SPENCER

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13:00 1 KATHRYN SPENCER: Mom, will you be quiet.
13:00 2 DeANNE SPENCER: Yes, I will be quiet. Okay?
13:00 3 KATHRYN SPENCER: Stop saying that dumb word.
13:00 4 DeANNE SPENCER: Okay. Do you want a drink?
13:00 5 Do you remember what you showed Sharon and
13:00 6 Ann?
13:00 7 JAMES PETERS: Did you show Ann too?
13:00 8 KATHRYN SPENCER: (Nodding up and down).
13:00 9 JAMES PETERS: I didn't know that. I knew
13:00 10 that you showed Sharon.
13:00 11 DeANNE SPENCER: Why don't you show me.
13:00 12 JAMES PETERS: That was good of you to do
13:00 13 that. Did that make you feel better when you did
13:00 14 that?
13:00 15 KATHRYN SPENCER: (Nodding side to side).
13:00 16 JAMES PETERS: No? Well, you know you're not
13:01 17 going to get in trouble at all, don't you?
13:01 18 KATHRYN SPENCER: (Nodding up and down).
13:01 19 JAMES PETERS: You know we just want to help
13:01 20 your daddy. If he did this, we want to make sure he
13:01 21 doesn't do it to you again or to anybody else again.
13:01 22 DeANNE SPENCER: You don't have to say
13:01 23 anything. Just move the dolls and show the dolls --
13:01 24 THE WITNESS: (Nodding side to side).

Videotaped Interview of: KATHRYN SPENCER

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13:01 1 JAMES PETERS: Well, what made you change
13:01 2 your mind and not want to do it today when you wanted
13:01 3 to last night?

13:01 4 KATHRYN SPENCER: (Sighs).

13:01 5 JAMES PETERS: (Sighs). Heavy breathing.
13:01 6 What do you think? Does it make you nervous
13:01 7 when people ask you questions about this stuff?

13:01 8 KATHRYN SPENCER: (Nodding up and down).

13:02 9 JAMES PETERS: Yeah. Well, I can understand
13:02 10 that. It would make me nervous if people were asking
13:02 11 me questions all the time too.

13:02 12 How about if you just do it this one last
13:02 13 time; what do you think; what do you think?

13:02 14 DeANNE SPENCER: Remember the story you told
13:02 15 me about the little train that could?

13:02 16 KATHRYN SPENCER: Mommy.

13:02 17 JAMES PETERS: Oh, I've heard that story
13:02 18 before. Did you learn that in school?

13:02 19 DeANNE SPENCER: That's such a nice story,
13:02 20 isn't it? Do you want to hold my hand?

13:02 21 KATHRYN SPENCER: (Holds DeAnne Spencer's
13:02 22 hand.)

13:02 23 JAMES PETERS: Is that the train -- is that
13:02 24 the story about the train that goes: I think I can; I

Videotaped Interview of: KATHRYN SPENCER

28

13:02 1 think I can; I think I can; I think I can. And he's
13:02 2 going up a steep hill? Is that the one?

13:02 3 KATHRYN SPENCER: (Nodding up and down).

13:02 4 JAMES PETERS: That's a good story. What
13:02 5 happens in the end? Does he do it?

13:02 6 KATHRYN SPENCER: (Nodding up and down).

13:02 7 JAMES PETERS: It's so hard before he gets
13:03 8 there, right? I think I can; I think I can; I think I
13:03 9 can. And then finally, what? Finally, I can. Right?

13:03 10 KATHRYN SPENCER: (Nodding up and down).

13:03 11 DeANNE SPENCER: I knew I could; I knew I
13:03 12 could; I knew I could.

13:03 13 JAMES PETERS: Absolutely.

13:03 14 So let's just take about three deep breaths,
13:03 15 and then you show me and we'll get this all over with.

13:03 16 DeANNE SPENCER: You can hold my hand too, if
13:03 17 you need to. Okay? Do you want to use my hand?

13:03 18 Okay. Tell me what to do. Does it go here?

13:04 19 KATHRYN SPENCER: No.

13:04 20 DeANNE SPENCER: You tell me what to do and
13:04 21 we're going to get this all over with, right, because
13:04 22 we can do it. Right?

13:04 23 KATHRYN SPENCER: (Nodding side to side).

13:04 24 DeANNE SPENCER: Okay. You tell me. Show me

Videotaped Interview of: KATHRYN SPENCER

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13:04 1 what to do.

13:04 2 KATHRYN SPENCER: (Places DeAnne Spencer's
13:04 3 hand upon doll).

13:04 4 JAMES PETERS: Oh, good. Okay. What's next?

13:04 5 DeANNE SPENCER: Put it on her tummy?

13:04 6 KATHRYN SPENCER: (Nodding up and down).

13:04 7 DeANNE SPENCER: Okay. Now what? Take my
13:04 8 hand.

9 KATHRYN SPENCER: (Nodding side to side).

10 DeANNE SPENCER: Where does my hand go now?
11 Does it stay on the back or does it go on the
12 boy doll?

13 KATHRYN SPENCER: (Removes DeAnne Spencer's
14 hand from doll).

13:04 15 DeANNE SPENCER: What do I do? Take my hand.

13:04 16 KATHRYN SPENCER: (Nodding side to side).

13:04 17 DeANNE SPENCER: Come on. We'll do this
13:04 18 together.

13:04 19 KATHRYN SPENCER: No.

13:04 20 DeANNE SPENCER: Show me where to put my
13:04 21 hand.

13:04 22 KATHRYN SPENCER: Uh-uh.

13:05 23 DeANNE SPENCER: She stays on her tummy like
13:05 24 that (indicating)?

Videotaped Interview of: KATHRYN SPENCER

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13:05 1 KATHRYN SPENCER: (Nodding side to side).
13:05 2 DeANNE SPENCER: Then what?
13:05 3 KATHRYN SPENCER: (Nodding side to side).
13:05 4 DeANNE SPENCER: Do you turn her over? Okay.
13:05 5 Turn her over.
13:05 6 Now what? What about the boy doll? Hmmm?
13:05 7 KATHRYN SPENCER: (Places DeAnne Spencer's
13:05 8 hand on doll).
13:05 9 DeANNE SPENCER: Turn him over?
13:05 10 KATHRYN SPENCER: (Nodding up and down).
13:05 11 DeANNE SPENCER: Like that? Then what?
13:05 12 JAMES PETERS: Oh, one question we forgot to
13:05 13 ask. It's real important. Does the girl doll have
13:05 14 any clothes on? Hmmm? What was that one? Is that a
13:05 15 yes or a no?
13:05 16 KATHRYN SPENCER: (Rests head on DeAnne
13:05 17 Spencer).
13:05 18 DeANNE SPENCER: Come on, Sweetie.
13:06 19 JAMES PETERS: Do you remember what house
13:06 20 this happened in?
13:06 21 KATHRYN SPENCER: (Nodding side to side).
13:06 22 JAMES PETERS: Hmmm?
13:06 23 DeANNE SPENCER: Try.
13:06 24 JAMES PETERS: Was it the house in

Videotaped Interview of: KATHRYN SPENCER

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13:06 1 Sacramento?

13:06 2 KATHRYN PETERS: (Nodding side to side).

13:06 3 JAMES PETERS: Was it Karen's house?

13:06 4 KATHRYN SPENCER: (Nodding side to side).

13:06 5 JAMES PETERS: Was it the house by the river?

13:06 6 KATHRYN SPENCER: (Nodding up and down).

13:06 7 JAMES PETERS: Yeah? Good. You can remember
13:06 8 really well. Okay.

13:06 9 And what room was it in?

13:06 10 KATHRYN SPENCER: The living room.

13:06 11 JAMES PETERS: Oh, you can talk. I thought
13:06 12 you forgot how to talk.

13:06 13 It was in the living room. Okay. And who
13:06 14 else was in the living room?

13:06 15 There was (holding up doll) -- who is this?
13:06 16 Hmmm?

13:06 17 DeANNE SPENCER: Do you want to take your
13:07 18 coat off?

13:07 19 KATHRYN SPENCER: No, I don't.

13:07 20 DeANNE SPENCER: Okay.

13:07 21 JAMES PETERS: Okay. There was this person
13:07 22 (holding up doll) who is Kati, right?

13:07 23 KATHRYN SPENCER: (Nodding up and down).

13:07 24 JAMES PETERS: And this person who you said

Videotaped Interview of: KATHRYN SPENCER

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13:07 1 was your daddy (holding up doll), right?

13:07 2 KATHRYN SPENCER: (Nodding up and down).

13:07 3 JAMES PETERS: Who else was in the living

13:07 4 room?

13:07 5 KATHRYN SPENCER: Nobody.

13:07 6 JAMES PETERS: Nobody? Okay.

13:07 7 Were there any other people in the house?

13:07 8 KATHRYN SPENCER: (Nodding side to side).

13:07 9 JAMES PETERS: How about Matt, where was

13:07 10 Matt?

13:07 11 KATHRYN SPENCER: (Sighs).

13:07 12 JAMES PETERS: Do you remember?

13:07 13 KATHRYN SPENCER: (Nodding side to side).

13:07 14 JAMES PETERS: Was it daytime or nighttime?

13:07 15 DeANNE SPENCER: Take my hand.

13:07 16 KATHRYN SPENCER: (Holds DeAnne Spencer's

13:07 17 hand.)

13:07 18 DeANNE SPENCER: It's okay.

13:07 19 JAMES PETERS: That's good.

13:07 20 KATHRYN SPENCER: Nighttime.

13:08 21 JAMES PETERS: You remember really well.

13:08 22 And where was Shirley?

13:08 23 KATHRYN SPENCER: At work.

13:08 24 JAMES PETERS: Okay. And where was Matt?

Videotaped Interview of: KATHRYN SPENCER

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13:08 1 KATHRYN SPENCER: He was in the house too.
13:08 2 JAMES PETERS: Oh, where was he; do you know?
13:08 3 KATHRYN SPENCER: He was in the living room
13:08 4 sleeping.
13:08 5 JAMES PETERS: Oh. And who else was -- was
13:08 6 anybody else in the living room?
13:08 7 KATHRYN SPENCER: No.
13:08 8 JAMES PETERS: Was there anybody else staying
13:08 9 at the house?
13:08 10 KATHRYN SPENCER: Yes.
13:08 11 JAMES PETERS: Who was -- what was that
13:08 12 person's name?
13:08 13 KATHRYN SPENCER: Little Matt.
13:08 14 JAMES PETERS: There's two Matts?
13:08 15 KATHRYN SPENCER: (Nodding up and down).
13:08 16 JAMES PETERS: And where was Little Matt?
13:08 17 KATHRYN SPENCER: He was still on the floor
13:08 18 too.
13:08 19 JAMES PETERS: Oh, you're remembering so good
13:08 20 now.
13:08 21 Okay. So who was awake in the living room?
13:09 22 KATHRYN SPENCER: Me and my dad.
13:09 23 JAMES PETERS: Good. All right. What do you
13:09 24 remember that happened? Can you show me on the dolls.

Videotaped Interview of: KATHRYN SPENCER

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13:09 1 KATHRYN SPENCER: (Nodding side to side).

13:09 2 JAMES PETERS: Let me ask you some other
13:09 3 questions then. What was Kati wearing; do you
13:09 4 remember?

13:09 5 DeANNE SPENCER: Take my hand.

13:09 6 JAMES PETERS: Did you have any clothes on at
13:09 7 all that night or were you sleeping down there lying
13:09 8 down there on the floor with no clothes on? It was at
13:09 9 night.

13:09 10 What did your daddy have on?

13:09 11 KATHRYN SPENCER: His robe.

13:10 12 JAMES PETERS: All right. Did he have
13:10 13 anything underneath the robe?

13:10 14 Can you remember?

13:10 15 KATHRYN SPENCER: (Nodding side to side).

13:10 16 JAMES PETERS: How about you; how about Kati,
13:10 17 what did Kati have on?

13:10 18 Do you want to hold my hand too? Do you want
13:10 19 to?

13:10 20 KATHRYN SPENCER: (Nodding side to side).

13:10 21 JAMES PETERS: No? Okay.

13:10 22 Did Kati have any clothes on that night?

13:10 23 KATHRYN SPENCER: (Nodding up and down).

13:10 24 JAMES PETERS: Uh-huh? Okay. Did you keep